

REMARKS

Reconsideration and further examination of the present application is respectfully requested.

Request for Examiner Approval of Prior Submission of Proposed Drawing Corrections

On August 2, 2001, Applicant filed a Submission of Proposed Drawing Corrections for the Examiner's approval.

Because item (11) on the Office Action Summary in the Office Action was not completed and because the Office Action did not otherwise address whether this drawing correction was approved, Applicant respectfully requests approval of this drawing correction in the next Office Action.

Request for Examiner Acceptance of Prior Submission of Formal Drawings

On November 28, 2001, Applicant mailed a Transmittal of Formal Drawings incorporating the drawing correction proposed in the August 2, 2001 Submission of Proposed Drawing Corrections.

Because item (10) on the Office Action Summary in the Office Action was not completed and because the Office Action did not otherwise address whether these formal drawings were accepted by the Examiner, Applicant respectfully requests acceptance of these formal drawings by the Examiner in the next Office Action.

Request for Acknowledgement of Domestic Priority Claim

The present application claims priority from U.S. Patent Application No. 09/527,284, filed March 17, 2000, now pending, and U.S. Patent Application No. 08/986,275, filed December 5, 1997, now U.S. Patent No. 6,064,117.

Because item (15) on the Office Action Summary in the Office Action was not completed and because the Office Action did not otherwise acknowledge this domestic priority claim, Applicant respectfully requests acknowledgement of this domestic priority claim in the next Office Action.

Request for Consideration of Prior Information Disclosure Statement

Applicant previously filed an Information Disclosure Statement (IDS) disclosing U.S. Patent No. 6,130,383 for consideration by the Examiner. The IDS was received by the U.S. Patent and Trademark Office on January 25, 2002.

Applicant, however, did not receive with the Office Action an initialed copy of the PTO/SB/08A form enclosed with the IDS or any statement as to why the IDS was not considered. Applicant respectfully requests that the IDS be considered and that an initialed copy of the PTO/SB/08A form be returned to the Applicant to evidence such consideration.

Obviousness-Type Double Patenting Rejection

On page 2 of the Office Action, claims 16-42 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,064,117.

Applicant respectfully traverses this rejection as follows.

Applicant respectfully submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321(c) to obviate this double patenting rejection. The filing of the Terminal Disclaimer, however, is not to be construed as an admission of the propriety of the rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 20 USPQ2d 1392, 1394-1395 (Fed. Cir. 1991).

Rejection Under 35 U.S.C. § 102(b)

On pages 3-6 of the Office Action, claims 16-42 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,127,726 to Bright et al. ("Bright").

Applicant respectfully traverses this rejection as follows.

The present application is a divisional patent application of U.S. Patent Application No. 09/527,284, filed March 17, 2000, now pending, which is a divisional patent application of U.S. Patent Application No. 08/986,275, filed December 5, 1997, now U.S. Patent No. 6,064,117.

Because the earliest parent application was filed December 5, 1997 and therefore prior to both the May 27, 1999 filing date of Bright and the October 3, 2000 publication date of Bright, Applicant respectfully submits Bright cannot be used to reject these claims.

Applicant therefore respectfully submits this rejection has been overcome and should accordingly be withdrawn.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

No claims have been canceled, amended, or added.

In view of the foregoing, it is respectfully submitted the present application is in condition for allowance, for which early action is earnestly solicited.

The Examiner is invited to telephone the undersigned to help expedite any further prosecution of the present application.

The Director of the U.S. Patent and Trademark Office is hereby authorized to credit any overpayment or to charge any fees or fee deficiencies under 37 C.F.R. §§ 1.16 and 1.17 in connection with this communication to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN, L.L.P.



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